Application No. 10/583,604

Thus, for the present application, a lack of unity of invention may only be determined a posteriori, or in other words, after a search of the prior art has been conducted and it is established that all the elements of the independent claim are known.

Page 3 of the Office Action simply states that "each of the listed groups has special technical features not required for the other groups" and that "special technical features exclusive to each group are listed above in the listing of groups." The Restriction Requirement does not refer to any prior art or establish that no subject matter is common to all claims. The Restriction Requirement simply makes a general assertion that is not supported by any prior art.

The Office Action therefore does not establish that each and every element of the subject matter that is common to independent claims 1, 2, 5, 6 and 9 is known in the prior art.

Therefore, Applicants respectfully submit that lack of unity of invention has not been established, and thus a Restriction Requirement based on a lack of unity of invention is improper.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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